

REMARKS

Amendments

Amendments to the Claims

Applicant has amended the independent claims to more particularly point out that a masking tool moves within an image in response to user input while an effect is being applied to the image. The dependent claims were changed to correspond to changes in the independent claims. No new matter has been added as a result of these amendments.

Rejections

Rejections under 35 U.S.C. § 103

Claims 1-13

Claims 1-13 stand rejected under 35 U.S.C. § 103(a) as being obvious over Noyama, et al. (U.S. Patent 5,594,850), in view of Olsen (U.S. Patent 6,429,881). Applicant respectfully disagrees with the rejection because the combination does not teach each and every element of the invention as claimed in claims 1-13.

Noyama discloses automatically creating a new computer graphics (CG) image from a user-selected CG image by determining a mask for each portion of the existing CG image having similar characteristics. One or more of the portions defined by the masks, i.e., the portions of the image within the mask boundaries, are cut and pasted into the new CG image. In addition, special effects may be applied to each masked portion individually.

Olsen discloses automatically transiting between different graphic elements on a Web page using a different shape transparency mask for each element. The masks are selected by the page designer. The first image is displayed within the first mask boundaries. To transition between the elements, the pixels of the first graphics element are replaced with the pixels for the second element within the second mask boundaries.

Applicant's invention as claimed in claims 1-13 claims that the masking tool prevents the application of effects to the portion of the image that is masked, i.e., the effects are not applied to the portions that lie within the mask boundaries. Both Noyama

and Olsen do just the opposite; each applies its effect to the portion that is masked, i.e., within the boundaries of the mask.

With regard to claims 7-13, the Examiner stated that the art discloses dynamically moving a mask while an effect is being applied. However, the Examiner did not indicate which reference he was using and Applicant assumes the Examiner is relying on Olsen. However, the cited section and Figures in Olsen do not disclose that a mask is moved, only that the pixels within the boundaries of the first mask are replaced by the pixels within the boundaries of the second mask. Neither the first nor the second mask move within the image while the effect is being applied as claimed in conjunction with Applicant's masking tool in claims 7-13.

Furthermore, Applicant also claims that the masking tool is moved in response to user input in claims 1-13. Noyama discloses an automatic system in which the user selects the images but has no control over the masking. Olsen discloses automatically transitioning between images with the designer determining the shape of the transition masks but the user of the Web page has no control of the use of the masks. Therefore, neither Noyama nor Olsen, nor the combination, can be properly interpreted as teaching or suggesting moving a masking tool in response to user input.

Therefore, the combination of Noyama and Olsen cannot render obvious Applicant's invention as claimed in claims 1-13, and Applicant respectfully requests the withdrawal of the rejection of the claims under 35 U.S.C. § 103(a) over the combination.

New Claims

New claims 14-20, 21-26 and 27 have been added to claim the subject matter of originally filed claims 1-13 as machine-readable media, system, and mean-for formats. Applicant respectfully submits claims 14-27 are allowable for at least the reasons set forth above for claims 1-13.

SUMMARY

Claims 1-27 are currently pending. In view of the foregoing amendments and remarks, Applicant respectfully submits that the pending claims are in condition for

allowance. Applicant respectfully requests reconsideration of the application and allowance of the pending claims.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Sue Holloway at (408) 720-3476.

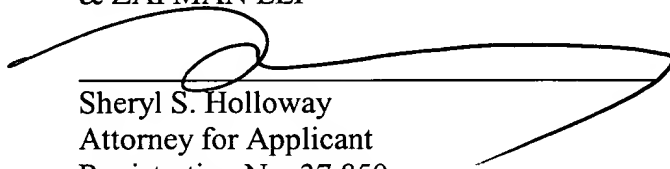
Deposit Account Authorization

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

Respectfully submitted,

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